

IN THE SUPREME COURT OF OHIO

DISCIPLINARY COUNSEL, : CASE NO.: 14-1905
: :
Relator, : Matter Related to the Practice of
: Law Authorized by S. Ct. Prac. R.
-vs- : Section 13
: :
ANGELA ROCHELLE STOKES, :
: :
Respondent. :
: :

RESPONDENT'S MOTION FOR DISSOLUTION OR MODIFICATION OF ORDER OF
SUSPENSION UNDER GOV. BAR. R. V(5a)(C)(1) Exhibit R through Exhibit U

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Relator

HON. ANGELA ROCHELLE STOKES
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Respondent

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Counsel for Respondent

1 STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS STOKES, A. R., J.
2 CITY OF CLEVELAND.)

3
4 IN THE MUNICIPAL COURT

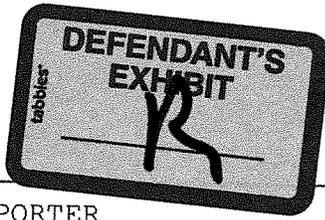
5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) Case No.
9 CARL A. COLLINS,) 2013TRC039690
10 Defendant.)
11 - - -

12
13 Transcript of digitally recorded proceedings had
14 before the Honorable Judge Angela R. Stokes on
15 Tuesday, October 8, 2013 in Courtroom 15-C.
16

17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Aric Kinast, Assistant Police
Prosecutor.
21 On behalf of the defendant:
22 NO APPEARANCE
23

24
25 Sylvester A. White



P R O C E E D I N G S

1
2 THE COURT: This is docket number
3 27 for Mr. Carl Collins. And the record
4 will reflect that trooper Jackson is
5 present. This matter is set for a pretrial.
6 Have you pre-tried this matter? Have you
7 pre-tried this matter?

8 THE DEFENDANT: No, ma'am. I attempted
9 to get in touch with prosecutor Lynn a
10 couple of times by phone.

11 THE COURT: This is the prosecutor.
12 This matter was set for pretrial. You can
13 certainly pre-try it with prosecutor Kinast.
14 I had on the last court date prosecutor Lynn
15 would subpoena the witnesses and discovery
16 was to be reviewed by the prosecutor and by
17 the defendant. So that's the only posture
18 that I have right now on this matter. And
19 he also signed a waiver of attorney form.
20 He's representing himself. He has already
21 signed a waiver of attorney form. So you
22 can pre-try it. This matter is set for a
23 pretrial so pre-try it.

24 MR. KINAST: We were unable to reach
25 an agreement.

1 THE COURT: So what do you want to
2 do?
3 THE DEFENDANT: I would like to have a
4 jury trial, your Honor.
5 THE COURT: Sir, why won't you have
6 an attorney help you? Are you a lawyer?
7 THE DEFENDANT: Ma'am.
8 THE COURT: Are you a lawyer?
9 THE DEFENDANT: No, ma'am. I'm not.
10 THE COURT: So why will you not
11 allow an attorney to help you on these
12 serious charges? Why not? Do you have the
13 financial means to hire an an attorney?
14 THE DEFENDANT: Yes, I do.
15 THE COURT: So you are not
16 indigent, right? Is that what you're
17 saying --
18 THE DEFENDANT: No, ma'am. I'm not
19 indigent.
20 THE COURT: -- that you would not
21 meet the criteria to be represented by the
22 Public Defender's Office?
23 THE DEFENDANT: Yes, ma'am. I am not
24 indigent.
25 THE COURT: So why won't you hire

1 an attorney to help on you this matter?
2 THE DEFENDANT: Because I don't believe
3 that it's necessary for me to have an
4 attorney to help me adjudicate this.
5 THE COURT: Why?
6 THE DEFENDANT: I just don't feel that
7 it's --
8 THE COURT: Why? It's not a
9 feeling. You need to give an intellectual
10 reason to the Court because these charges
11 are so serious. Is this a first? Would
12 this be a first OVI? I don't know.
13 MR. KINAST: No. (Inaudible.)
14 THE DEFENDANT: No. No, it's not.
15 THE COURT: So this would be within
16 a six-year period?
17 MR. KINAST: First in six.
18 THE COURT: -- first within a
19 six-year. So I think I did review with you
20 what the maximum potential penalties --
21 THE DEFENDANT: -- yes, ma'am, you did.
22 THE COURT: -- would be if --
23 that's a big if -- if there is a conviction.
24 So I'm not certain why you won't allow an
25 attorney to help you on these matters. Has

1 all discovery been --

2 MR. KINAST: Yes.

3 THE COURT: He has received

4 discovery from the prosecutor's office?

5 THE DEFENDANT: Yes.

6 MR. KINAST: I have not received any

7 from him, though.

8 THE COURT: Was there a demand by

9 the city?

10 THE DEFENDANT: There was no demand.

11 THE COURT: Has the city made a

12 request? Would the city like to make a

13 request? Does there need to be a request?

14 I don't know.

15 MR. KINAST: Yeah. There's a --

16 there's a demand by the city.

17 THE COURT: There is -- okay. So

18 have you responded to the city's demand for

19 discovery?

20 THE DEFENDANT: I have no other

21 documents other than what the city --

22 THE COURT: Sir, you have to submit

23 something in writing to the prosecutor's

24 office. See, that's what I'm talking about.

25 You don't know what you're doing in this

1 courtroom. Oh my goodness.

2 THE DEFENDANT: Here's a copy. That's

3 (inaudible) stamped.

4 THE COURT: What date -- what's the

5 date on that, prosecutor Kinast?

6 MR. KINAST: September 5th --

7 THE COURT: All right.

8 MR. KINAST: -- both the discovery

9 and our demand for discovery. (Inaudible.)

10 THE COURT: I understand. So you

11 have to --

12 MR. KINAST: He has not responded.

13 THE COURT: Sir, you have to --

14 just one second. Okay. You have to respond

15 to the city's request however you deem

16 appropriate. But you cannot not respond or

17 be held, you know, in contempt. You don't

18 want that to happen.

19 THE DEFENDANT: I will respond, your

20 Honor.

21 THE COURT: So do you need time --

22 THE DEFENDANT: Yes, I do.

23 THE COURT: -- to respond to the

24 city's request?

25 THE DEFENDANT: Yes.

1 THE COURT: By what date can you
2 respond to the --

3 THE COURT: I can have that
4 response to them by next week.

5 THE COURT: You think by next week?

6 THE DEFENDANT: Yes, ma'am.

7 THE COURT: Prosecutor Kinast and
8 Mr. Collins, in as much as trooper Jackson
9 is present today, I'll set this matter for a
10 final pretrial for when -- at the
11 defendant's request for you to receive the
12 discovery from the defendant. Will trooper
13 Jackson not need to be present on the next
14 court date? Are you both in agreement with
15 that? I don't know.

16 THE DEFENDANT: Yes, that's fine.

17 THE COURT: It's okay for the
18 trooper --

19 THE DEFENDANT: Yes.

20 THE COURT: -- not to be present on
21 the next pretrial?

22 THE DEFENDANT: Yes.

23 THE COURT: But if it goes forward
24 with trial then both of you will subpoena
25 whatever witnesses --

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: -- you deem

3 appropriate. Okay? So Mr. Collins.

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Continued at the

6 defendant's request for a final pretrial.

7 Was that acceptable?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Because -- do you have

10 all the information you need from the city?

11 THE DEFENDANT: Yes, I do.

12 THE COURT: City's just waiting on

13 you to respond to their request.

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: And what date would you

16 like to propose?

17 THE DEFENDANT: I would have that

18 information back to them by -- by next week

19 -- by at least Wednesday of next week.

20 THE COURT: You think you can

21 respond by like October the 15th and would

22 you like for me to place this on the docket

23 maybe like October 23rd? Do you think you

24 can --

25 THE DEFENDANT: Pretrial?

1 THE COURT: -- respond for a
2 pretrial?
3 THE DEFENDANT: Yes, ma'am.
4 THE COURT: -- you think you can
5 respond to the city if you have until at
6 least the 23rd?
7 THE DEFENDANT: Yes, ma'am.
8 THE COURT: Is that acceptable,
9 prosecutor Kinast? Continued at the
10 defendant's, request, set for a final
11 pretrial October 23rd --
12 MR. KINAST: Okay.
13 THE COURT: -- 2013. Did we want
14 to set it like at 2:00?
15 THE DEFENDANT: Yes, ma'am.
16 THE COURT: Okay. He promises.
17 Mr. Collins promises that he will submit
18 that discovery request by what date?
19 THE DEFENDANT: By next Wednesday or
20 shortly thereafter.
21 THE COURT: What date? I can't put
22 shortly thereafter.
23 THE DEFENDANT: By the --
24 THE COURT: Whatever date --
25 THE DEFENDANT: -- 16th.

1 THE COURT: -- you think you can
2 do.
3 THE DEFENDANT: By the 16th of October.
4 THE COURT: You're sure?
5 THE DEFENDANT: Yes, ma'am.
6 THE COURT: Okay. Thank you for
7 being present. Do you have a reminder slip,
8 Mr. Collins?
9 THE DEFENDANT: Yes, ma'am. I have
10 one.
11 THE COURT: Think about your legal
12 representation. Just think about it.
13 THE DEFENDANT: Thank you, your Honor.
14 THE COURT: You're welcome.

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C E R T I F I C A T E

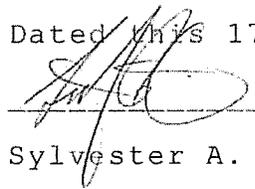
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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
vs.)
Carl A. Collins)

I, Sylvester A. White, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the taped proceedings had therein.

Dated this 17th day of September, 2014.



Sylvester A. White

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
3 CITY OF CLEVELAND.)

4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013TRC039690
9 CARL A. COLLINS,)
10 Defendant.)

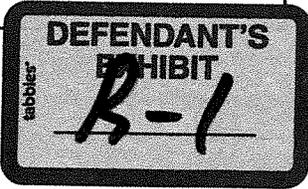
11 - - -
12
13 Transcript of Digitally Recorded Proceedings had
14 before the Honorable Judge ANGELA R. STOKES on
15 Wednesday, October 23, 2013 in Courtroom 15-C.

16 - - -
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Aric Kinast, Assistant Police
Prosecutor.

21 On behalf of the defendant:
22 Pro se

23
24
25 Devonna H. Tucker



P R O C E E D I N G S

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THE COURT: Mr. Collins.

Mr. Collins, on your case, which is 2013TRC039690, Prosecutor Kinast said that the two of you had some conversations about your case, but you want to contest it, and that you're not able to reach a resolution; is that right?

THE DEFENDANT: We couldn't reach a resolution. I would like to set it for trial.

THE COURT: So, what do you want to do? You're ready to go to trial; you just need a trial date; is that right?

THE DEFENDANT: Yes, ma'am.

THE COURT: What date?

THE DEFENDANT: Whatever is the Judge's convenience. I'd like a jury trial.

THE COURT: Sir, why don't you have an attorney help you, because you're not a lawyer. You know nothing about selecting a jury, and all the different types of motions that could be filed on your behalf, but why -- why won't you seek -- why -- you've signed the Waiver of Attorney form, but why

1 won't you let an attorney help you? And --
2 why? Why won't you let them just assist
3 you?

4 THE DEFENDANT: I just don't think that
5 an attorney can help me.

6 THE COURT: Sir, but you're not an
7 attorney. You're not licensed to
8 practice -- not that you have to be to
9 represent yourself -- but, it's not wise to
10 go forward on these such serious charges.

11 You've got two First Degree
12 misdemeanors, which will -- if there is a
13 conviction, there are mandatory penalties.

14 Why risk that if you could have an
15 attorney help you?

16 THE DEFENDANT: I'm not guilty.

17 THE COURT: Sir, everybody who
18 walks in here says not guilty. There is not
19 one person. That's why they all have said
20 not guilty. That's why they are on the
21 docket. Every one out of the Arraignment
22 Room said not guilty. Every single one who
23 is on our personal dockets, so just because
24 you see a lawyer doesn't mean that you're
25 admitting any guilt. It's to help you

1 understand your legal rights. And, I don't
2 understand. I mean, you're taking a huge
3 risk, which you can do, but it's not wise.

4 THE DEFENDANT: I have two children who
5 are lawyers.

6 THE COURT: What?

7 THE DEFENDANT: I have two children who
8 are lawyers.

9 THE COURT: That doesn't --

10 THE DEFENDANT: -- but, they're --

11 THE COURT: Right, but you're not a
12 lawyer, and they won't be in here
13 representing you in this courtroom, so
14 why -- I didn't say they would -- but, why
15 don't you let someone help you.

16 Even in your discussions with the
17 prosecutor, you just -- I'm not privy to
18 those conversations, but -- so, what do you
19 think? If you want to represent yourself,
20 that's fine, but I will certainly respect
21 that choice.

22 Did the prosecutor make an offer to you?

23 THE DEFENDANT: Yes, ma'am, he did.

24 THE COURT: He did?

25 Did he offer the charge as is, or did he

1 offer to amend the charge?

2 THE DEFENDANT: He offered for me to

3 plead guilty to the -- umm --

4 THE COURT: Was it a Physical

5 Control; did he say he would amend it -- ask

6 the Court to amend it to a Physical Control?

7 THE DEFENDANT: No, he didn't. He

8 didn't say that.

9 THE COURT: He was asking if you

10 would be willing to change your plea to like

11 the Driving Under the Influence of Alcohol

12 and/or Drugs --

13 THE DEFENDANT: Yes.

14 THE COURT: -- or a combination and

15 then he said he would ask the Court to nolle

16 or dismiss the balance.

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: Do you have a prior on

19 your record?

20 THE DEFENDANT: Before six years ago,

21 2001.

22 THE COURT: Okay, so it's been over

23 the six years?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: Well --

1 THE DEFENDANT: I know it's against
2 your better judgment, your Honor.

3 THE COURT: Well, it's not my
4 choice.

5 THE DEFENDANT: Yes.

6 THE COURT: It's not my choice. I
7 just -- believe I'm obligated to let you
8 know, but that choice is yours, and then you
9 will have to live with that choice, but
10 usually, in like a jury trial, they would at
11 least have someone sit with you, because
12 you're not a lawyer, you know, and there are
13 motions that maybe a lawyer would deem
14 appropriate to even file on your behalf, but
15 you don't even help out, you know, and
16 that's why I just think you put yourself --
17 I don't know -- it's your choice.

18 So, do you -- have you filed your Jury
19 Demand? Do you know what you're doing here?
20 I mean -- I don't think --

21 She is waiting. We have to move the
22 jails, sir. You've got to be -- she has got
23 to go. We have about ten files to do, to
24 move prisoners. You've got to decide what
25 you want to do.

1 THE DEFENDANT: I definitely would like
2 a Jury Demand.

3 THE COURT: Well, then you have to
4 take care of that. You have to file the
5 Jury Demand.

6 THE DEFENDANT: Excuse me, your Honor.

7 THE COURT: You have to file the
8 Jury Demand. I can't give you any legal
9 advice, and I'm not going to.

10 THE DEFENDANT: I understand.

11 THE COURT: I keep telling you that
12 you could -- I don't know what it is, why
13 you won't seek an attorney to help you on
14 such serious offense.

15 If there is a conviction on this one and
16 the Judge is aware that there is another
17 one, just think about that, even if it was
18 outside of that six year period -- I don't
19 know why you won't get legal help, and
20 you're not a lawyer -- I mean -- I just
21 don't understand.

22 Tiffany, we're going to write on these.
23 He doesn't know what he wants to do. I have
24 got to get --

25 THE DEFENDANT: You know what, your

1 Honor -- you know what, your Honor, I think
2 as many times as you told me that I should
3 at least talk to a lawyer and possibly get
4 one. I think maybe I should do that.

5 THE COURT: You could talk to one
6 and then after you talk to one, if you have
7 like --

8 THE DEFENDANT: I hadn't done it up to
9 this point, but I think I could.

10 THE COURT: You could at least
11 consult with one.

12 THE DEFENDANT: Yes.

13 THE COURT: Are you able to go to
14 the Public Defender's Office, or you're
15 not --

16 THE DEFENDANT: I can afford a lawyer.
17 I don't even qualify for the Public
18 Defender's Office.

19 THE COURT: You're saying you can.

20 THE DEFENDANT: Yes, I can.

21 THE COURT: Okay, so tell me this,
22 Mr. Collins, you would like time to just
23 explore talking to an attorney.

24 THE DEFENDANT: Yes.

25 THE COURT: That's fine. Tell me

1 what date you would like to come back.

2 THE DEFENDANT: In two weeks.

3 THE COURT: That's fine.

4 So, we'll continue it for a pretrial; is
5 that okay.

6 THE DEFENDANT: Yes, that will be fine.

7 THE COURT: Continued at the
8 defendant's request. Set it for a pretrial
9 in two weeks, which takes us to -- do you
10 want the 6th or 7th, the 7th?

11 THE DEFENDANT: That would be fine.
12 What date?

13 THE COURT: The 7th is a Thursday.

14 THE DEFENDANT: Yes, that's fine.

15 THE COURT: It will be a smaller
16 docket. Thursdays are usually smaller.
17 November --

18 THE DEFENDANT: I teach an anger
19 management class. I don't want to run into
20 my clients in the class.

21 THE COURT: Where do you teach
22 that?

23 THE DEFENDANT: At -- Union --
24 (inaudible) -- Center. In fact, a couple of
25 my people are not from your court, but from

1 the county court, their own Domestic
2 Relation Court, who attend my group.

3 THE COURT: So, November 7th 2013.
4 What time, Mr. Collins?

5 THE DEFENDANT: 2:00.

6 THE COURT: I don't think I have an
7 afternoon docket that day.

8 THE DEFENDANT: Okay. Well, 11
9 o'clock, then.

10 THE COURT: 11 o'clock. That's
11 great. You're not obligated.

12 THE DEFENDANT: Yes, ma'am. I
13 understand.

14 THE COURT: I mean, your Waiver of
15 Attorney form is still in this file.

16 THE DEFENDANT: I appreciate very much
17 your interest in me, your Honor. I
18 appreciate your advice.

19 THE COURT: Yeah, because I think
20 if you go with that jury trial or even
21 represent yourself, you should have an
22 attorney at least sit with you or something.
23 I don't know how that works. I've never --
24 just be careful to protect your rights.

25 THE DEFENDANT: Yes, I appreciate it.

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Thank you very much.

THE COURT: You're welcome.

THE DEFENDANT: Have a pleasant
evening.

THE COURT: Thank you. You also.

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C E R T I F I C A T E

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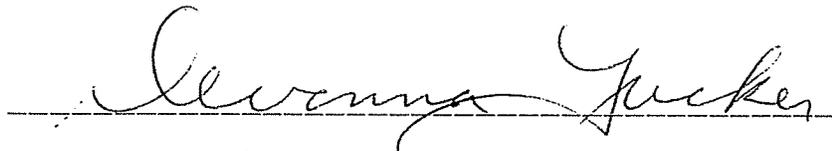
State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
V.)

Carl A. Collins.)

I, Devonna Tucker, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the digitally recorded proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 17th day of September, 2014.


Devonna Tucker

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
3 CITY OF CLEVELAND.)

4 IN THE MUNICIPAL COURT

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6 CITY OF CLEVELAND,)
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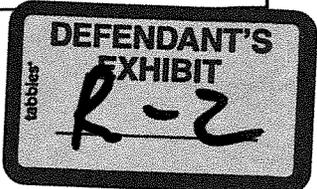
12
13 Transcript of Digitally Recorded Proceedings had
14 before the Honorable Judge **ANGELA R. STOKES** on
15 Thursday, November 7, 2013 in Courtroom 15-C.

16 - - -
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Aric Kinast, Assistant Police
Prosecutor.

21 On behalf of the defendant:
22 Pro se

23
24
25 Devonna H. Tucker



P R O C E E D I N G S

- - -

(Thereupon, these proceedings were electronically recorded.)

- - -

THE COURT: This is Docket Number 7, Mr. Carl Collins.

All right, Mr. Collins, what do you plan to do about your legal representation, sir? On your last court date, you were going to confer, to determine if you would hire an attorney or not. You don't meet the criteria to be represented by the Public Defender's Office, so what -- did you make a determination?

THE DEFENDANT: I am not going to hire an attorney, your Honor. I would like to go forward.

THE COURT: You need to discuss your case with the prosecutor. Discuss it with the prosecutor. There is nothing to say. You need to discuss your case with the prosecutor.

THE COURT: Recalling Docket 7 for

1 Mr. Carl Collins, so Mr. Collins you had a
2 chance to pretry your case with Prosecutor
3 Kinast; is that right?

4 THE DEFENDANT: Yes, I don't believe
5 the prosecutor and I are going to come to
6 any resolution, so I would like very much if
7 the Court would honor me with a trial by
8 jury.

9 THE COURT: Will you approach
10 sidebar? Approach.

11

- - -

12 (Thereupon, a discussion was had between
13 Court and counsel at sidebar and on the
14 record.)

15

- - -

16 THE COURT: Mr. Kinast --

17 MR. KINAST: Yes.

18 THE COURT: -- what would you offer
19 -- is the city in a position to amend
20 anything, or does he have priors?

21 MR. KINAST: Yes, he does have a
22 prior in 2002.

23 THE COURT: Okay.

24 So, what did the city offer?

25 MR. KINAST: Well, he told me he was

1 contesting it. He was going to trial.

2 THE COURT: Oh, he didn't want to
3 discuss it.

4 MR. KINAST: And, I offered him the
5 DUI instead of the other charges. I mean,
6 I'm willing to work with him, but he seems
7 he wants to fight everything. I'm willing
8 to give him a plea bargain.

9 THE DEFENDANT: I don't think that --
10 (inaudible) --

11 THE COURT: Well, would the city be
12 in a position to offer a physical --
13 (inaudible) --

14 MR. KINAST: Yes.

15 THE COURT: -- like the other
16 gentleman who had an OVI?

17 MR. KINAST: Yes, I would.

18 THE COURT: -- are you willing to
19 offer that on the record? Did you discuss
20 it? You probably didn't discuss that
21 because you didn't offer it, but I'm not
22 trying to force you to do anything. I'm
23 just trying to see if you can come to a
24 resolution.

25 MR. KINAST: Yes, I would offer him

1 that.

2 THE COURT: Do you understand?

3 THE DEFENDANT: Yes, I understand.

4 THE COURT: Is that something that
5 you would consider it?

6 THE DEFENDANT: No, ma'am.

7 THE COURT: Why not?

8 THE DEFENDANT: Well, because --

9 THE COURT: There is no mandatory
10 jail time on a Physical Control. If you are
11 convicted of these, there are mandatory
12 penalties on this. You are not a lawyer.
13 It is not wise to proceed on an OVI when you
14 have no legal training whatsoever, and, so I
15 am -- I don't understand. I think I need to
16 make a referral.

17 I don't know if he's competent to do
18 this. I'm thinking about making a referral
19 to the Court Psychiatric Clinic, because we
20 cannot take a chance of you representing
21 yourself on these serious charges, and you
22 don't know what you're doing in this
23 courtroom. You do not know.

24 THE DEFENDANT: Yes.

25 THE COURT: And, you can't even

1 provide a reasonable reason why you won't
2 let an attorney help you.

3 Why? Just answer that question. Why?

4 THE DEFENDANT: Because --

5 THE COURT: Just tell me so I can
6 understand.

7 THE DEFENDANT: -- when the officer
8 stopped me, he didn't stop me for just
9 cause. And everything that generated out of
10 that is something that is not necessarily a
11 valid reason to stop me.

12 THE COURT: That's why you need to
13 seek legal counsel. (Inaudible) --

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: You told me before your
16 son is a lawyer.

17 THE DEFENDANT: I have two children --

18 THE COURT: Right, but they're not
19 in here representing you --

20 THE DEFENDANT: (Inaudible) --

21 THE COURT: Absolutely right --
22 (inaudible) -- and there are appropriate
23 motions, legal motions, that should be
24 brought on your behalf. You're foregoing
25 all of that because you don't know what in

1 the world you're doing. This is why --

2 MR. KINAST: Sounds like you have

3 suppression issues.

4 THE DEFENDANT: Yes.

5 MR. KINAST: So, why do you want to

6 play lawyer before a jury?

7 THE COURT: (Inaudible) And, you

8 have the financial means to hire an

9 attorney.

10 THE DEFENDANT: Yes, I do.

11 THE COURT: So, why won't you get

12 an attorney to help you? This has been

13 going on since July, and you can get an

14 attorney to help you on this matter.

15 THE DEFENDANT: Would you -- look at

16 your officers write up and also look at the

17 video and compare the information that he

18 says to the video.

19 MR. KINAST: If you want to contest

20 the case, you need to talk have to a lawyer.

21 I'm not your lawyer.

22 THE DEFENDANT: I understand that. I

23 know you have to represent yourself as a

24 prosecutor, and, so, you can understand why

25 I feel that I --

1 THE COURT: Sir, first of all,
2 you're missing the point. That's not the
3 point. We're back to the point about your
4 legal representation on this matter.

5 These are such serious charges, if this
6 is a conviction, and I don't understand why,
7 if you can afford an attorney, why don't you
8 let an attorney assist you when you don't
9 have legal background.

10 You can't go running to your children.
11 They can't represent you in this courtroom.

12 MR. KINAST: When he said he was
13 walking back, he said -- (inaudible) -- some
14 of it here.

15 THE DEFENDANT: It was on the video
16 because he's walking back and it shows him
17 walking back to the car. That's my --

18 MR. KINAST: Are you saying you
19 think you didn't -- you think you moved
20 over?

21 THE DEFENDANT: I didn't [sic] move
22 over. I moved over as far as I could and --
23 (inaudible) -- it also shows on the video.

24 THE COURT: What are you going to
25 do about your legal right to representation?

1 This has been going on since July, and I'm
2 at the point where I am going to make a
3 referral, because I do not think he's
4 competent. I will leave him in the
5 community. I think there is a problem here.

6 THE DEFENDANT: Your Honor --
7 (inaudible) --

8 THE COURT: You know what, no,
9 because I have all these people waiting, and
10 I have given you all the time in the world
11 every time you've been in this courtroom --
12 July 30th, August the 9th, August the 14th,
13 September 17th, October 8th, October 23rd,
14 and then today, and these people are
15 waiting. There is a -- (inaudible) -- and
16 I'm making a referral to make certain that
17 you are competent to stand trial, because,
18 for some reason, you've got a mental block
19 about this -- (inaudible) -- and you --

20 THE DEFENDANT: Well, I don't want to
21 waste your -- the Judge's time, but I feel
22 that I -- I'd like to exercise this part of
23 my rights. That's all.

24 THE COURT: And, I'm, making -- I'm
25 exercising part of what I do in the

1 courtroom, and I'm making a referral,
2 because I'm not certain that you're
3 competent to stand trial or to represent
4 yourself on these serious charges. That is
5 exactly what I am going to do, because I
6 want to make a hundred percent certain that
7 you are competent to stand trial --

8 THE DEFENDANT: Your Honor --

9 THE COURT: It is my position --
10 (inaudible) --

11 THE DEFENDANT: Your Honor, last --
12 your Honor, last year I appeared before the
13 appeals court on a civil trial and won the
14 appeals court. I have appeared for myself
15 on other matters in a court.

16 THE COURT: On a DUI?

17 THE DEFENDANT: Not -- (inaudible) --

18 THE COURT: That's right and that's
19 what the Court is concerned about. We want
20 to make sure that your rights are protected
21 all along the way. And, that's important to
22 the Court to know that.

23 I don't believe we can have a fruitful
24 pretrial, because he doesn't understand.
25 This has been going on since July, any

1 attorney would have filed way before that.

2 MR. KINAST: Right.

3 THE COURT: He's even probably
4 beyond the time to even do it?

5 Do you understand? There are certain
6 dates by which -- (inaudible) -- you are
7 foregoing all of this because you won't let
8 an attorney help you. And, you can't give
9 me a reason why you won't let someone help
10 you.

11 We're trying to protect your rights.

12 THE DEFENDANT: Your Honor, the last
13 time I had a lawyer help me, I got sent to
14 Orient and I had to file my own --

15 THE COURT: Okay. That's in the
16 past.

17 THE DEFENDANT: Yes.

18 THE COURT: You can't keep living
19 in the past.

20 THE DEFENDANT: I'm not.

21 THE COURT: Excuse me. You can't
22 keep living in fear, and if you need someone
23 to help you -- you need someone to assist
24 you in this matter.

25 I don't know what happened on that other

1 matter, but you can certainly -- just
2 because you have a bad experience with one
3 attorney, doesn't mean that you can do any
4 better. You might do worse.

5 THE DEFENDANT: I had it dismissed. I
6 had the case dismissed.

7 THE COURT: Sir, let me tell you
8 something. That has nothing to do with this
9 matter. You just think about it.

10 I have to move on. I can't -- I cannot
11 continue -- these people are ready for their
12 cases to be heard. It's just --

13 MR. KINAST: Yeah. He hasn't
14 filed --

15 THE COURT: He doesn't understand.
16 He doesn't understand anything. We are
17 trying to protect his rights.

18 MR. KINAST: If you had a bad
19 experience, with a lawyer in the past, the
20 fact that you think you could do better than
21 any lawyer could do because you had a
22 successful thing --

23 THE COURT: I'm done.

24 THE DEFENDANT: Listen, can I dismiss
25 the case?

1 MR. KINAST: No.

2 THE COURT: He can have a seat.

3 That's exactly why I'm making the referral
4 to the Court Psychiatric Clinic. That's
5 exactly why.

6 Hi, Marva, this is Judge Stokes. I need
7 a court reporter, please. Yes, I do. Thank
8 you.

9 Mr. Collins, you may have a seat. I'm
10 going to recall your case once I have a
11 court reporter.

12 THE DEFENDANT: Thank you.

13 - - -

14 (Thereupon, the following proceedings were
15 conducted while in the presence of an
16 official court reporter.)

17 - - -

18 *****

19 THE COURT: We are ready,
20 Prosecutor Kinast. Would you approach
21 sidebar with Mr. Collins?

22 - - -

23 (Thereupon, a discussion was had between
24 Court and counsel at sidebar and on the
25 record.)

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THE COURT: We're going to do this at sidebar. It's about mental health issues.

This is recalling Mr. Carl Collins' Case, which is Docket Number 7.

Mr. Collins, I'm just going to basically repeat some of the information that you and the prosecutor and I shared before the court reporter came.

THE DEFENDANT: Yes, ma'am.

THE COURT: It's probably recorded. Just in case it didn't, I want to make sure we have a record.

I believe, based upon observing you in these matters, since July 30th, that it would be appropriate for the Court to make a referral to the Court Psychiatric Clinic.

This referral to the Court Psychiatric Clinic is going to be -- because it's at the pretrial stage -- competency to stand trial. This will allow you to remain in the community. I'm not going take you into -- under custody.

THE DEFENDANT: Yes, ma'am.

1 THE COURT: My main concern is
2 about the paranoia, of the suspiciousness,
3 and that you are so hesitant to hire an
4 attorney.

5 You have a right to represent yourself,
6 but the Court needs to make certain that you
7 are competent, that you can do that, and I'm
8 not convinced that you are. These are my
9 concerns, and then I'll let you say
10 anything, and then I'll let Prosecutor
11 Kinast say anything he would like to place
12 on the record.

13 Also, you're not able to have fruitful
14 pretrial conversations with the prosecutor.
15 When I say fruitful, that doesn't mean that
16 you have to change your plea; do you
17 understand?

18 THE DEFENDANT: Yes.

19 THE COURT: It's just that you
20 haven't been able to communicate where it
21 just makes sense to the both of you, and
22 from my observations, the pretrial
23 conversations -- the both of you -- what you
24 have stated -- there is something going on
25 where I don't think you fully understand.

1 You have the financial means to hire an
2 attorney, but you refuse to do so, and a lot
3 of that is based upon the fact that you had
4 one experience some time -- what year did
5 you tell me?

6 THE DEFENDANT: In 1987.

7 THE COURT: Right, and according to
8 you, it wasn't a positive experience, and
9 you ended up going to -- did you say Ori --

10 THE DEFENDANT: I had to file an appeal
11 myself and ended up -- the Judge threw the
12 case out on my appeal motion. My lawyer
13 didn't do what I felt was a very good job
14 for me.

15 THE COURT: Right. I understand,
16 but on this case, I just have to be
17 perfectly frank. You are beyond the time
18 frame for like filing a Motion to Suppress,
19 and maybe you need to be able to file a
20 Motion to Suppress, but I have talked to you
21 about counsel every time this case has been
22 on the docket, July 30th, August 9th, August
23 14th, September 17th, October 8th, October
24 23rd, and then again today, and I'm not
25 allowed to give you any legal advice, but

1 just from your discussions with Prosecutor
2 Kinast at sidebar today, you have some
3 reasons why you think maybe the charges
4 should be dismissed.

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: You think maybe some of
7 these -- you may not have known the word
8 suppression, but the prosecutor, he let you
9 know that word.

10 THE DEFENDANT: Yes.

11 THE COURT: But, if you're missing
12 these dates -- do you understand my concern?

13 THE DEFENDANT: Yes.

14 THE COURT: What if I let you go
15 forward and you don't have legal counsel,
16 you miss these dates, if there is a
17 conviction -- how can a judge do that? I
18 can't do that in good conscious.

19 There might be some judges that say have
20 at it. Do the best you can, but -- I even
21 think if you sat down for jury trial in this
22 matter, you might have to have counsel just
23 to sit there and help you, even if you
24 didn't want them to represent you, but
25 someone to help you, but I don't even think

1 you would allow that.

2 THE DEFENDANT: I just talked to my
3 wife just -- not too long ago, and she said
4 that she was going to ensure that I had
5 somebody, if nothing more, to advise me in
6 the legal steps that I need to take.

7 THE COURT: Is she here today?

8 THE DEFENDANT: No, she is not here. I
9 called her on the phone.

10 THE COURT: Maybe she ought to come
11 some time. This has been going on since
12 July.

13 On your last court date, which was
14 October 23rd, you told me that you were
15 going to confer with legal counsel to
16 determine if you would hire an attorney.
17 Did you do that?

18 THE DEFENDANT: I did. I called my
19 half brother, who is a lawyer in Detroit,
20 who is a criminal lawyer in Detroit, and he
21 said that he thought I had good grounds, and
22 he said that it would probably be best if I
23 had some legal aid. He said, I could do it
24 on my own, because the law allows me to do
25 that, but he felt -- and he couldn't do it,

1 of course, because he's licensed in Detroit,
2 and he does -- he has a load of work up
3 there.

4 He said, he thought my grounds were very
5 valid.

6 THE COURT: But, you're not
7 presenting them so that they even get before
8 the Court or to the prosecuting attorney.

9 What are we going to do here? You won't
10 let someone help you.

11 THE DEFENDANT: It's a little bit
12 hubris on my part too.

13 THE COURT: Huh?

14 THE DEFENDANT: It's a little bit
15 hubris on my part too.

16 THE COURT: You think this is
17 humorous?

18 THE DEFENDANT: No, hubris. You know,
19 like pride.

20 THE COURT: Oh, I'm thinking -- I
21 wanted to say stubborn, but I didn't want to
22 say it.

23 THE DEFENDANT: That too.

24 THE COURT: Well, what are we going
25 to do to protect your rights here, sir?

1 There has to be an attorney that you could
2 maybe trust to help you, but you won't sit
3 down and talk to one locally.

4 THE DEFENDANT: I have one. I've just
5 gotten something from the war department who
6 told me that I will talk to somebody.

7 THE COURT: Your wife?

8 THE DEFENDANT: Yes.

9 THE COURT: Because, this is what I
10 think that -- I think that if you have
11 grounds for a Motion to Suppress, that you
12 should not forego that opportunity. Do you
13 understand?

14 THE DEFENDANT: Yes.

15 THE COURT: If I let you keep going
16 in this direction, I mean, if I don't
17 intervene here somehow --

18 THE DEFENDANT: Well, she is -- I am
19 getting ready to talk to Mr. Gambino, Joe
20 Gambino -- Thompson. She knows him, and she
21 is gonna have me go and talk to them. My
22 wife is the boss.

23 THE COURT: Well, what do you think
24 we should do, because this has been going on
25 since July?

1 THE DEFENDANT: I should have talked to
2 her a long time before this.

3 THE COURT: So, what are you
4 telling me?

5 THE DEFENDANT: That I am probably
6 going speak to either Mr. Gambino or
7 Mr. Thompson to see about the possibility of
8 assisting me, or if there are grounds for
9 some other things that they could handle for
10 me.

11 THE COURT: What do you mean hire
12 an attorney to help you?

13 THE DEFENDANT: Yes, to handle it for
14 me.

15 THE COURT: Yes, because -- I don't
16 know, Mr. Kinast, I think I have legitimate
17 reasons for making the referral. I don't
18 know if I should or if I should wait to see
19 if he comes back with counsel. I'm not
20 sure. I want to do the right thing here.

21 THE DEFENDANT: Your Honor, is making
22 the referral --

23 THE COURT: I want to make certain
24 that you understand.

25 THE DEFENDANT: And, I understand you

1 will.

2 THE COURT: That you're competent
3 to represent yourself and that you can
4 assist yourself in defense of this case.

5 From what I've seen so far, I don't
6 think so. You are missing vital deadlines.

7 THE DEFENDANT: Yes.

8 THE COURT: I don't want you to be
9 in that position because you're just
10 ignorant of the law, and like you said --
11 hubris, prideful?

12 THE DEFENDANT: Yes.

13 THE COURT: This is too serious.

14 THE DEFENDANT: Yes.

15 THE COURT: Mr. Kinast can play
16 hardball here and say we are opposing the
17 Motion to Suppress, because he has missed
18 the timeline, but he's being too gracious.
19 He's not saying that. He may be thinking
20 it, but he hasn't said it. He's just being
21 gracious here.

22 What do we do? I can't keep doing this.
23 This is July, August, September, October,
24 four months this has been going on.

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: So, are you telling me
2 that you're going to have an attorney here
3 to represent you on the next court date?

4 THE DEFENDANT: Probably.

5 THE COURT: Well, that's not -- I
6 can't delay making a referral.

7 If you know that you're going to hire an
8 attorney, you may not know who it is, but if
9 you will trust interviewing some and making
10 a decision, then maybe I can forego making
11 this referral --

12 THE DEFENDANT: I will --

13 THE COURT: -- but, I can't delay
14 this if you're not going to commit to that,
15 because I -- it would take almost three or
16 four weeks just to get a psychiatric
17 evaluation. I just can't wait until you
18 come back again.

19 I have other cases that I have to handle
20 here. I have deadlines here.

21 THE DEFENDANT: I will talk to a local
22 attorney and have him assist me, or her
23 assist me, do what needs to be done to
24 handle this.

25 THE COURT: This is what I'm going

1 to do, because of the time limits, I'm going
2 to make this referral, but I can always
3 withdraw this referral if you hire counsel,
4 and I know you're okay, that you have
5 proof -- I'll be happy to withdraw it, but I
6 don't think I can delay submitting it, but I
7 can always withdraw it.

8 THE DEFENDANT: Okay.

9 THE COURT: Okay, and then, I'm
10 just going to put competency to stand trial.
11 I put on here there is a bit of paranoia
12 here because of what happened to you -- what
13 year was that 19 --

14 THE DEFENDANT: '87.

15 THE COURT: -- 1987, so that must
16 have been a pretty traumatic experience.

17 What was that for?

18 THE DEFENDANT: It was burglary.

19 THE COURT: But, it's okay.

20 Anyway, you felt you had ineffective
21 assistance of counsel.

22 THE DEFENDANT: Initially.

23 THE COURT: You went to a state
24 prison. Then you got released because of
25 the ineffective assistance of counsel, but

1 just know, even if you had a bad experience,
2 that shouldn't stop you from having legal
3 representation now if you need it; do you
4 understand?

5 THE DEFENDANT: Yes.

6 THE COURT: Okay, because you're
7 missing these deadlines, and if you were an
8 attorney, you would know what needed to be
9 done. I do not think I have to ask -- do
10 you have any type of hostility or feel
11 homicidal?

12 I have to ask these questions.

13 THE DEFENDANT: No, ma'am.

14 THE COURT: Do you feel depressed
15 at all or suicidal?

16 THE DEFENDANT: No, ma'am. If you
17 recall, I proctor an anger management group.
18 I help other people.

19 THE COURT: You did.

20 You're not doing anything about legal
21 representation. You're missing critical
22 deadlines.

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: Do you have any
25 hallucinations?

1 These are standard questions.

2 THE DEFENDANT: No, ma'am.

3 THE COURT: I do think that there
4 may be a lack of comprehension. You're
5 missing these dates and so forth. I'm going
6 to check on this -- I put paranoid,
7 suspicious, and then -- so I'll make the
8 referral. Let me just make sure I have the
9 correct address. Is it 12621.

10 THE DEFENDANT: Walnut Hill Drive.

11 THE COURT: Is that North Royalton,
12 Ohio 44133.

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: Phone number.

15 THE DEFENDANT: Phone number is
16 (440) 582-0316.

17 THE COURT: Okay, the Court
18 psychiatric clinic will contact you about
19 your appointment date, because they're
20 closed now.

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: At any time, if I need
23 to withdraw this, I can withdraw this. I'm
24 doing this because I want to protect your
25 rights.

1 THE DEFENDANT: Okay.

2 THE COURT: Hopefully, if you make
3 that decision -- if you agree you will hire
4 an attorney -- if you believe in that --
5 just to protect your rights on the next
6 court date.

7 THE DEFENDANT: Yes.

8 THE COURT: So, when will you make
9 your decision about your legal counsel?
10 What date should I put this back on the
11 docket?

12 THE DEFENDANT: I don't know. I'm
13 going to have to talk to both of these two
14 attorneys to find out which one --

15 THE COURT: I have to have a date
16 to put on. I can't go 30 days. I just
17 can't do that, because this has been going
18 on since July 30th.

19 THE DEFENDANT: Third.

20 THE COURT: Actually, before,
21 because I told you in the Arraignment Room
22 you had a right to seek legal counsel.

23 THE DEFENDANT: Yes, the 3rd?

24 THE COURT: We need a date in
25 November.

1 THE DEFENDANT: The 20 --

2 THE COURT: Today is the 7th. You
3 got like two weeks. You need to figure out
4 something by -- because you've had plenty of
5 time to do this.

6 So, you want to do this by the 20th of
7 November?

8 THE DEFENDANT: Yes.

9 THE COURT: That gives you plenty
10 of time.

11 November 20th 2013. You want afternoon?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: Three o'clock?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Are you going to bring
16 the wife?

17 THE DEFENDANT: If she is not teaching
18 class, I'll have her with me.

19 THE COURT: It's your choice. I
20 just want to make sure that you understand
21 what you're doing, that you're competent to
22 represent yourself, okay?

23 THE DEFENDANT: Yes.

24 THE COURT: Okay.

25 THE DEFENDANT: Thank you.

1 THE COURT: You are welcome.
2 Have you ever had any mental health
3 care?
4 THE DEFENDANT: No, ma'am.
5 THE COURT: I have to ask.
6 THE DEFENDANT: Although, I was in a
7 POW Camp for a while. That would have made
8 me paranoid.
9 THE COURT: Where was that?
10 THE DEFENDANT: Viet Nam.
11 THE COURT: So, you're a veteran;
12 you're a veteran?
13 THE DEFENDANT: Yes, ma'am.
14 THE COURT: Okay.
15 What year was that?
16 THE DEFENDANT: That was 1966 and '67,
17 around this time of year.
18 THE COURT: Tell me the date of the
19 other conviction that was in 1980?
20 THE DEFENDANT: 1987.
21 THE COURT: Tell me -- that was for
22 burglary, robbery?
23 THE DEFENDANT: It was for burglary. I
24 had --
25 THE COURT: You don't have to tell

1 me about the merits. I'm just -- I'm
2 just -- factual information.

3 THE DEFENDANT: I didn't do that
4 either.

5 THE COURT: How long were you in a
6 state prison; how long?

7 THE DEFENDANT: In Orient, just for --
8 I went to Chillicothe then Orient. It was
9 probably for 60 days. Not more than 60
10 days.

11 I filed the information -- went back to
12 court dismissed it. Judge Gowin released
13 me.

14 THE COURT: All right.

15 I think I have enough information.
16 You'll be contacted about a date to appear
17 at the court psychiatric clinic. It may
18 very well be after November 20th date.
19 They're running behind. You may have your
20 attorney then. This may be a moot issue at
21 that point.

22 THE DEFENDANT: All right. Thank you.

23 THE COURT: That is acceptable?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: Anything, Mr. Kinast?

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MR. KINAST: No, your Honor.

THE COURT: All right.

Thank you, sir. Did they give you a
reminder slip for November 20th?

THE DEFENDANT: No, I need one.

THE COURT: I will write it out.

Thank you.

- - -

C E R T I F I C A T E

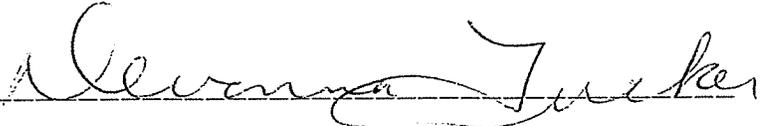
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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
V.)
Carl A. Collins.)

I, Devonna Tucker, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the digitally recorded proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 19th day of September, 2014.



Devonna Tucker

1 STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS STOKES, A. R., J.
2 CITY OF CLEVELAND.)

3
4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013TRC039690
9 CARL A. COLLINS,)
10 Defendant.)

11 - - -
12
13 Transcript of digitally recorded proceedings had
14 before the Honorable Judge Angela R. Stokes, on
15 Tuesday, December 3, 2013, in Courtroom 15-C.

16 - - -
17 APPEARANCES:

18 On behalf of the plaintiff:

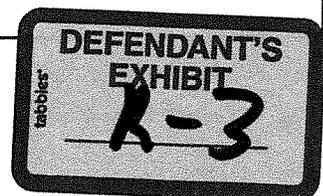
19 Victor R. Perez, Chief Police Prosecutor
20 By: Aric Kinast, Ass't Police Prosecutor.

21 On behalf of the defendant:

22 Pro se

23
24
25 Grace Evangelou, RPR

OFFICIAL COURT REPORTER
CLEVELAND MUNICIPAL COURT
Cleveland, Ohio 44113



P R O C E E D I N G S

1
2 THE COURT: This is Docket No. 12
3 for Mr. Collins.

4 Prosecutor Kinast, as you know
5 Mr. Collins did submit to a psychiatric
6 evaluation. That report is here. It's
7 dated December 2nd, 2013.

8 Since you're representing yourself, you
9 are certainly welcome to read this report if
10 you would like. And it was prepared by Dr.
11 Michael H. Aronoff. And he -- his
12 diagnostic impression is that there's no
13 psychiatric diagnosis, whatsoever. And it
14 is Dr. Aronoff's opinion, with reasonable
15 psychological certainty, that Mr. Collins
16 does not present with a history of signs or
17 symptoms characteristic of a psychiatric
18 diagnosis. It is his opinion, with
19 reasonable psychological certainty, that
20 Mr. Collins clearly understands the nature
21 and the objective of the legal proceedings
22 against him, and he gives four reasons for
23 that.

24 And furthermore, it's Dr. Aronoff's
25 opinion, with reasonable psychological

1 certainty, that Mr. Collins is currently
2 capable of assisting in his defense, and he
3 gives four reasons for that.

4 An that he's -- the defendant intends to
5 represent himself in court. His reasons for
6 such are rational, knowing, and voluntary.
7 He appears to be aware of the possible
8 adverse consequences resulting from such.

9 So if you want to take a look at the
10 report, I think, you're certainly welcome to
11 do that. I cannot give you a copy but you
12 can certainly look at it.

13 THE DEFENDANT: Certainly, your Honor.

14 THE COURT: But it basically says
15 that you understand and that you can
16 represent yourself.

17 So I see that he did file -- and I
18 accept the report. I've read through it. I
19 mean, I'm not putting everything in the
20 record because we're in open court and I
21 can't get a court reporter after 4:30, but
22 I've read about your military background and
23 some of the hardships that you've suffered.

24 Now, how am I doing over there? Oh, my
25 gosh, wait. This computer is acting up.

1 Wait, wait, wait. This is terrible. This
2 happens every time. I got to figure out how
3 to do this. So -- (inaudible) Oh, move your
4 buggy. Thank you, okay. I lost my pen, but
5 anyway -- so Mr. Collins, I see that you
6 filed a Motion to Suppress.

7 THE DEFENDANT: Yes, your Honor.

8 THE COURT: Okay. And Prosecutor
9 Kinast that was filed on November 19th. I
10 know the City needs time to respond to that
11 Motion to Suppress.

12 MR. KINAST: Right. We we will need
13 to respond and a copy of that.

14 THE COURT: You haven't been served
15 with a copy?

16 THE DEFENDANT: I sent you a copy but I
17 do have --

18 THE COURT: Do you have an extra
19 one for Prosecutor Kinast --

20 THE DEFENDANT: Yes, I do.

21 THE COURT: -- or do we need to
22 make a copy for him?

23 THE DEFENDANT: I have a copy that he
24 can have.

25 THE COURT: Is that your only copy?

1 THE DEFENDANT: Oh, no, I have several
2 copies.

3 THE COURT: Oh, I'm sure. So
4 Prosecutor Kinast, I know the City needs
5 time to respond to the defendant's Motion to
6 Suppress, and then we just need to set it
7 for a hearing. I guess today we could set
8 it for a hearing date, once you tell me when
9 the City's response will be?

10 MR. KINAST: Well, If you can give
11 us a few weeks.

12 THE COURT: Sure.

13 MR. KINAST: So (inaudible) so in a
14 few weeks (inaudible).

15 THE COURT: You tell me when you
16 think the City will be able to respond and
17 then I'll know what date to schedule it for
18 a Motion to Suppress hearing.

19 MR. KINAST: Okay. Well, if you can
20 give us to the 20th.

21 THE COURT: Okay. And this has
22 been on the docket, oh, since July. Do you
23 want me to schedule it on the docket -- tell
24 me what day is best, because I don't think I
25 should put it on in January because this

1 case goes over age in January. I could do
2 it on the 27th. That's a Friday afternoon.
3 If you don't think that's good -- we don't
4 want to do it the day after Christmas.

5 MR. KINAST: Why don't we do it on
6 the 30th.

7 THE COURT: I will be here but I
8 don't think the witnesses will be here.

9 MR. KINAST: Why don't we do it on
10 the 30th.

11 THE COURT: I was thinking about
12 it, at two o'clock. Is that date okay?

13 THE DEFENDANT: That's perfect, your
14 Honor.

15 THE COURT: So Mr. Collins, your
16 case will be continued at the defendant's
17 request, set for a pretrial on a Motion to
18 Suppress hearing. That's going to be on
19 December 30th, 2013, at two o'clock in the
20 afternoon, okay? Is there anything else,
21 sir?

22 THE DEFENDANT: Thank you very much,
23 your Honor. I appreciate it.

24 THE COURT: And I know that you
25 filed a jury demand also. I am aware of

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that.

THE DEFENDANT: Thank you.

THE COURT: You're welcome. Do you
need a reminder slip or did you receive one,
sir?

THE DEFENDANT: No, I just got it.
Thank you.

THE COURT: Oh, okay. Thank you.

- - -

C E R T I F I C A T E

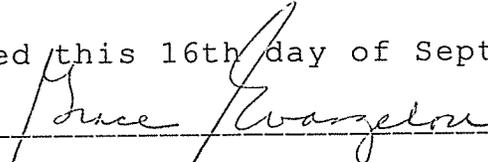
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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
vs.)
Carl A. Collins.)

I, Grace Evangelou, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the taped proceedings had therein.

Dated this 16th day of September, 2014.



Grace Evangelou

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STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS: STOKES, A.R., J.
CITY OF CLEVELAND.)

IN THE MUNICIPAL COURT

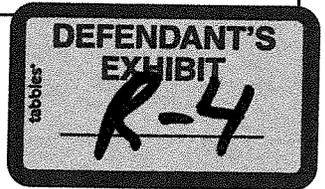
CITY OF CLEVELAND,)
)
Plaintiff,)
)
vs.) 2013 TRC 039690
)
CARL A. COLLINS,)
)
Defendant.)

Transcript of digitally recorded proceedings had
Before the Honorable Judge Angela R. Stokes on
Thursday, January 9, 2014 in Courtroom 15-C.

APPEARANCES:

On behalf of the plaintiff:
Victor R. Perez, Chief Police Prosecutor
By: (None present)
On behalf of the defendant:
(Pro se)

MARVA M. WILSON



P R O C E E D I N G S

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THE COURT: Mr. -- is it Collins?

THE DEFENDANT: Yes, ma'am.

THE COURT: Oh my goodness. Let me try find your files, sir. Oh my gosh.

Please step up to the podium Mr. Collins.

Mr. Carl Collins, 2013 T R C 0396900. Did you have any discussions with the prosecutor today? His hand were full.

THE DEFENDANT: He was really busy. I tried get his attention a couple of times. Your Honor, can I ask a question? Could I possibly get a copy of either audio or transcript of the proceedings from Jan -- December 30th?.

THE COURT: Was that for the Motion to Suppress hearing?

THE DEFENDANT: Yes.

THE COURT: You can order that through the Court Reporters Office.

THE DEFENDANT: All right. I'll go ahead and do that.

THE COURT: Okay. And the written decision isn't ready, and I know the two of you were going to discuss the case --

1 because I just received a copy -- they just
2 provided me today with a copy of the
3 transcript of the proceedings.

4 THE DEFENDANT: I'll get it from the
5 court reporter. I have the number and the
6 date.

7 THE COURT: Okay. And then we just
8 need to give you a new date.

9 THE DEFENDANT: Okay.

10 THE COURT: To come back and then
11 -- we need a date where we don't have all of
12 these cases.

13 THE DEFENDANT: Is you or -- you have a
14 lot of people who were signing up for the
15 21st.

16 THE COURT: Probably so, sir. Let
17 me tell you a date that would be a light
18 day.

19 THE DEFENDANT: And can I say
20 something, your Honor whatever they pay you,
21 it's not nearly enough. It's not nearly
22 enough.

23 THE COURT: I don't work for the
24 money. You know that; right? I don't work
25 for the money.'

1 Let's see, I'm trying to think of a day
2 where this docket is going to be light. The
3 23rd I have a judges's meeting so we were
4 trying not to put any cases. The 24th I
5 have civil cases from nine until four. The
6 27 I have Project Hope in the morning but
7 that's a small docket for the afternoon.

8 THE DEFENDANT: Well that's -- that's
9 fine.

10 THE COURT: Do you think the 27th
11 is okay?

12 THE DEFENDANT: Yes.

13 THE COURT: I might be able to
14 issue that decision before the 27th. In
15 which case I would mail it to you.

16 THE DEFENDANT: Okay.

17 THE COURT: And the prosecutor.

18 THE DEFENDANT: Yes.

19 THE COURT: You would get your
20 decision -- because today is the 9th. And
21 the 27th is like one, two, it's like -- it's
22 like two and a half weeks. Do you want to
23 -- it will probably be issued before that
24 but do you want a pretrial date on that one
25 day just to find out the decision?

1 THE DEFENDANT: Yes, yes.

2 THE COURT: But I think it will be
3 mailed to you before that date.

4 THE DEFENDANT: Yes.

5 THE COURT: Okay, I'll place it on
6 the docket, January 27, 2014. Do you want
7 like in the afternoon like two?

8 THE DEFENDANT: Afternoon please.

9 THE COURT: Like 2 p.m. or three?

10 THE DEFENDANT: Yes.

11 THE COURT: What do you want, two
12 or three?

13 THE DEFENDANT: Two is fine.

14 THE COURT: Two is good? Okay and
15 we will just put it on for a pretrial, to
16 review the written decision regarding the
17 Motion to Suppress.

18 THE DEFENDANT: Thank you, your Honor.

19 THE COURT: Or the hearing on the
20 motion.

21 THE DEFENDANT: All right. I will be
22 in touch with the court reporter to get my
23 copy.

24 THE COURT: Oh you know what, the
25 court reporter also gave me --

1 Do you see a brown envelope --

2 THE DEFENDANT: Do you know which court
3 reporter?

4 THE COURT: -- no, no.

5 I'm sorry?

6 THE DEFENDANT: Do you know which court
7 reporter or just a general court reporter's
8 office?

9 THE COURT: Do you see an envelope
10 like this?

11 THE JOURNALIZER: No.

12 THE COURT: Is it underneath there?
13 She gave me a document because they said it
14 was an issue with your exhibits. Because
15 what you did -- you didn't have your
16 exhibits separate and apart from that
17 pleading you attached. Remember you filed a
18 pleading called --

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: -- rebuttal.

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: To plaintiffs answer to
23 motion to suppress. Did you have --

24 THE DEFENDANT: That had gone to the
25 Clerk's Office and it was stamped and I have

1 the --

2 THE COURT: I think this will be
3 okay. Maybe they will just use this
4 document. Because you didn't have your
5 exhibits separate and apart. Usually the
6 exhibits are separate and apart but I'll
7 explain to them how you set up your exhibits
8 here so it's okay. It'll be fine.

9 THE DEFENDANT: Okay.

10 THE COURT: All right. Did he get
11 a reminder slip --

12 THE JOURNALIZER: Yes.

13 THE COURT: -- for January 27th at
14 2 p.m.?

15 THE DEFENDANT: Thank you very much,
16 your Honor. All right and good luck.

17 THE COURT: You know what, wait one
18 moment. Let's see. This case -- July,
19 August, September, October, November,
20 December. This case goes over age in
21 January. This case has to be over with. Oh
22 I've got to give you an earlier date.
23 Because if you want a jury trial or
24 whatever, it has to be done before the end
25 of January. So I need to give you an

1 earlier date.

2 THE DEFENDANT: Would it be better
3 (inaudible)?

4 THE COURT: Yea. Today is the 9th.
5 What if we set this -- I have a jury trial
6 that begins a week from today. I think the
7 Magistrates Department can finish doing the
8 legal research. I am wondering should we
9 have it right before the jury trial starts,
10 otherwise -- I don't know how many cases are
11 on the 21st -- but if you need a jury date
12 -- Tiffany -- I need my January numbers. Oh
13 here's the envelope. Over here by this
14 (inaudible). That's okay I will explain it
15 to them.

16 Do you see the form that looks like
17 this? I am just looking at January.

18 Probably what we are going have to do,
19 the jury trial -- if you -- depending on how
20 I rule on the Motion to Suppress and I'm not
21 certain because it's being referred to -- I
22 just got the transcript today; so it's going
23 to go to the Magistrates Department for them
24 to do legal research and provide me with the
25 proposed legal memorandum for me to review.

1 If I deny it, then if your desire is a jury
2 trial -- and I think you filed a jury
3 demand, I think so -- then we will have to
4 come up with a jury trial date. And the
5 only dates I have for a jury trial are the
6 16th which would be too soon and I have the
7 30th. I have January 30th and it can't go
8 beyond that date because for the purposes of
9 the Ohio Supreme Court it can only be on my
10 docket for six months. So --

11 THE DEFENDANT: We'll set that date
12 up for the jury trial.

13 THE COURT: We can. And I think
14 you filed a jury demand; and I'm pretty sure
15 of that.

16 THE DEFENDANT: And depending what your
17 ruling is.

18 THE COURT: Right depending -- did
19 you file a jury demand? Did you sign a --

20 THE DEFENDANT: Yes.

21 THE COURT: -- jury demand form?

22 THE DEFENDANT: Yes, I did.

23 THE COURT: The yellow form?

24 THE DEFENDANT: I didn't sign a yellow
25 form. A filed a motion for a jury demand.

1 THE COURT: Let me give you the
2 yellow form real fast, okay. It's also --
3 so just sign this, okay. And then we need a
4 date to come back for the hearing on that
5 same -- let's see the building is closed on
6 the 20th. We can't put any more on the
7 21st. It's 76 cases. Oh my gosh. What
8 about the twenty -- what about the 22nd?

9 THE DEFENDANT: The 22nd?

10 THE COURT: There will be prisoners
11 in the morning but what about the 22nd in
12 the afternoon just to review the written
13 decision on the Motion to Suppress hearing?

14 THE DEFENDANT: That would be fine.

15 THE COURT: Okay. And then I am
16 going to put in the note section, depending
17 how the Court rules, that you definitely
18 would like to have a jury trial; is that
19 correct? And the jury trial date then would
20 be January 30, 2014 at, at nine a.m.

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: Is that acceptable?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: So then you would have
25 to be prepared.

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: But as soon as a
3 written decision is available, even if it's
4 ready before the 22nd, you will receive it
5 in the mail.

6 THE DEFENDANT: Yes.

7 THE COURT: But I will set it for a
8 final pretrial review on --

9 THE DEFENDANT: The 22nd.

10 THE COURT: 22nd at 2 p.m. Jury
11 trial date will be January 30th at nine
12 am.

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: Okay.

15 THE DEFENDANT: Thank you very much,
16 your Honor.

17 THE JOURNALIZER: Did you -- I'm sorry --

18 THE COURT: You know he just needs
19 the January 22nd date.

20 THE JOURNALIZER: January 22nd at what
21 time?

22 THE COURT: Two p.m. that's set
23 for a final pretrial review of the Motion to
24 Suppress hearing.

25 THE DEFENDANT: Thank you, ladies.

1 THE JOURNALIZER: You're welcome.

2 THE COURT: He knows -- if it goes
3 forward as a jury trial, you know that will
4 be January 30th at nine a.m.

5 THE DEFENDANT: Yes, ma'am. Thank you.

6 THE COURT: And then I will let the
7 prosecutor know all of this. Thank you.

8 THE DEFENDANT: Have a pleasant
9 evening.

10 THE COURT: Thank you. You too,
11 sir.

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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

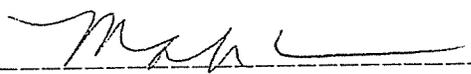
City of Cleveland,)

V.)

Carl A. Collins.)

I, Marva M. Wilson, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 12th day of September, 2014.



Marva M. Wilson

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS: STOKES, A.R., J.
3 CITY OF CLEVELAND.)

4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013 TRC 039690
9 CARL A. COLLINS,)
10 Defendant.)
11 - - -

12
13 Transcript of digitally recorded proceedings had
14 Before the Honorable Judge Angela R. Stokes, on
15 Wednesday, January 22, 2014 in Courtroom 15-C.
16

17 APPEARANCES:

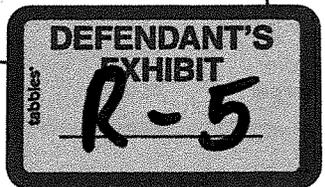
18 On behalf of the plaintiff:

19 Victor R. Perez, Chief Police Prosecutor
20 By: (None present)

21 On behalf of the defendant:

22 (Pro se)

23
24
25 MARVA M. WILSON



P R O C E E D I N G S

1
2 THE COURT: Mr. Collins.

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: I kind of think your
5 file came up (inaudible). I think your file
6 may be in my office.

7 All right, Mr. Collins, thank you for
8 your patience. And this is docket number --
9 I will just put the case number, 2013 T R C
10 039690. Mr. Collins, the Magistrates
11 Department is not finish writing -- doing
12 the legal research on this matter. I think
13 we had said the jury had to be on January
14 30th.

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: But it will not be able
17 to be on January 30th because I don't have
18 any room on my docket because when the
19 courthouse was closed on January 7th, due to
20 the freezing cold temperatures, the majority
21 of my cases had been continued on the only
22 date I had open which was the January 30th
23 date for the jury trial. We had to move
24 like 80 something cases. They are on my
25 docket January 30th. So you certainly are

1 going to keep your jury trial we just need
2 to give you another date, but I haven't
3 ruled on the Motion to Suppress yet.

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: So we just need another
6 date and I will be happy to continue it at
7 the Court's request.

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Just to rule. Let's
10 see -- and then if you want a jury trial
11 date in February, February is filling up
12 really fast too. It might have to be the
13 February 20th date but I don't know what
14 date -- if that's a good or bad date for
15 your schedule. I don't have too many dates
16 right now. The only available dates would
17 be February 20th, if it goes forward with a
18 jury trial, February -- possibly February
19 27th but I don't know.

20 THE DEFENDANT: Either day, your Honor.
21 The 27th would give me a little more time to
22 prepare but it's up to you. Because I have
23 to --

24 THE COURT: Have you thought about
25 discussing your case with the prosecutor to

1 try to resolve it or is that just something
2 you are not interested in at all?

3 THE DEFENDANT: I'm not really
4 interested in talking to him.

5 THE COURT: That's okay.

6 THE DEFENDANT: I mean I would talk to
7 him but I don't think what he is going to
8 answer me back is going to be something that
9 would be (inaudible) with me. But I have to
10 issue some subpoenas and some things like
11 that and I need some --

12 THE COURT: So that's why you're
13 saying more time would be better for you?

14 THE DEFENDANT: Yes.

15 THE COURT: Okay. That'll be fine.
16 Well do you want to set up your tentative
17 jury trial date? Do you want -- do you
18 think this matter would take more than one
19 day?

20 THE DEFENDANT: I don't think it's
21 going to take more than one day.

22 THE COURT: Would you like for me
23 to put it on Friday, February 28th?

24 THE DEFENDANT: That would be -- that
25 would be fine.

1 THE COURT: If you think -- you
2 think you could do it in one day? If we go
3 forward, depending on how I rule on the
4 motion --

5 THE DEFENDANT: If we go forward, it
6 won't take --

7 THE COURT: -- so that's on a
8 Friday. You think that will be okay?

9 THE DEFENDANT: It won't take more than
10 one day. I'm sure.

11 THE COURT: So I will put the jury
12 trial -- that's always at the defendant's
13 request. Set for a jury trial, February
14 28th. We'll just say at nine a.m.

15 THE DEFENDANT: Yes.

16 THE COURT: At nine a.m. But the
17 Court's ruling will be way before --

18 THE DEFENDANT: Okay.

19 THE COURT: -- that date. And --

20 THE DEFENDANT: Will you be sending me
21 a copy of that ruling?

22 THE COURT: Now I'm trying to
23 think. Do you want a court date or do you
24 just want it mailed to you?

25 THE DEFENDANT: Mailed to me.

1 THE COURT: Okay but let me make
2 sure we have the correct address, okay. Is
3 it the address on the citation that says --
4 THE DEFENDANT: Yes 12621 Walnut Hill
5 Drive.
6 THE COURT: 126 --
7 THE DEFENDANT: 621 Walnut Hill Drive.
8 THE COURT: Walnut Hill --
9 THE DEFENDANT: Drive.
10 THE COURT: Drive.
11 THE DEFENDANT: North Royalton.
12 THE COURT: Let me write that out
13 because it's a little bit different -- it
14 doesn't have "drive" on the citation so let
15 me just -- 12621 Walnut Hill Drive, North
16 Royalton, 44133.
17 THE DEFENDANT: Yes, ma'am.
18 THE COURT: All right. Is this --
19 in case the prosecutor and I were to call
20 you for any reason, is this the right number
21 where it says (440)582 --
22 THE DEFENDANT: 0316.
23 THE COURT: Okay. This decision
24 will be issued -- I would think it should be
25 ready no later than -- what about February

1 7th?

2 THE DEFENDANT: That's fine. I --

3 THE COURT: On or before then.

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Okay.

6 THE DEFENDANT: I made a big mistake.

7 I went to the State office for the, for the
8 people that do the transcripts instead of
9 the City. And they said there's nobody --
10 there is no case. I said Judge Stokes, oh
11 this is not the City which is right across
12 the hall because I never been down there, so
13 I didn't know where it was at.

14 THE COURT: You mean to get the
15 transcript?

16 THE DEFENDANT: Oh I got it. I got it
17 already.

18 THE COURT: Oh it's here in the
19 building.

20 THE DEFENDANT: Yea.

21 THE COURT: Tenth floor.

22 THE DEFENDANT: But the State
23 prosecutor -- State transcripts is right
24 across the hall. When I walked out, I just
25 looked and I saw the first one that said

1 transcripts and I said that must be it.

2 THE COURT: Excuse me one second --

3 THE DEFENDANT: Yes.

4 (Thereupon, a telephone conversation was had
5 on the Bench between the Court and
6 Lieutenant Beyer:)

7 Hi, Lieutenant Beyers?

8 Fine.

9 They did?

10 Oh my gosh. Lieutenant Beyers.

11 LIEUTENANT BEYER: -- I'm glad I called
12 out there.

13 THE COURT: You know what let me
14 see if the paperwork on the bench. I think I
15 gave it to -- I think I gave it to the
16 journalizer.

17 LIEUTENANT BEYER: Okay.

18 THE COURT: Yea because one case
19 was nolloed and the other one was totally
20 mitigated.

21 LIEUTENANT BEYER: Okay. So if I have to,
22 I can run up. I can fax that one.

23 THE COURT: Well have you left the
24 building?

25 LIEUTENANT BEYER: No, I'm still here.

1 THE COURT: But you're supposed to
2 be gone, right?
3 LIEUTENANT BEYER: Yea. Well --
4 THE COURT: Go ahead. I'll find
5 it.
6 LIEUTENANT BEYER: Okay.
7 THE COURT: I'll find it. If it's
8 not up here, I'll have to call Saronya.
9 LIEUTENANT BEYER: Okay.
10 THE COURT: Okay, thank you.
11 LIEUTENANT BEYER: No problem. I'll take a
12 walk up in a few.
13 THE COURT: Oh my gosh. Thank you.
14 LIEUTENANT BEYER: You're welcome.
15 THE COURT: Bye bye.
16 LIEUTENANT BEYER: Bye bye.
17 (Thereupon the telephone conversation
18 concluded and the following proceedings were
19 had:)
20 THE COURT: Oh my gosh.
21 What were you saying, sir?
22 THE DEFENDANT: Nothing, nothing,
23 nothing.
24 THE COURT: Okay. February 7th, no
25 later, I will have the written decision. If

1 we have to go forward with a jury trial, you
2 have February 28th at eight. That's a
3 Friday.

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: All right. Do you want
6 me to give you a reminder slip?

7 THE DEFENDANT: Please if you don't
8 mind.

9 THE COURT: Okay. Do you want me
10 to just give you one for the jury trial
11 date?

12 THE DEFENDANT: Yea, just for the jury
13 trial date. That's fine.

14 THE COURT: Okay. You may
15 approach. This is for the jury trial,
16 February 28, 2014 at 8:30 a.m.

17 THE DEFENDANT: May I approach?

18 THE COURT: Oh, yes. There you
19 are, sir.

20 THE DEFENDANT: Thank you very much,
21 Judge.

22 THE COURT: You're welcome, sir.

23 THE DEFENDANT: You have a pleasant
24 evening.

25 THE COURT: Thank you for your

1 patience and you have a pleasant evening
2 also, Mr. Collins.

3 THE DEFENDANT: I got my daughter
4 picking me up. I have my anger management
5 group that's going to be meeting tonight so
6 I have to make sure I get there. I don't
7 want those guys to get mad at me.

8 THE COURT: That's right.
9 Absolutely. What time does your class
10 began?

11 THE DEFENDANT: It's a anger management
12 group that I actually proctor.

13 THE COURT: What time does it
14 begin?

15 THE DEFENDANT: It begins at 7 o'clock.

16 THE COURT: Ooh.

17 THE DEFENDANT: But she -- I called her
18 already so she will be outside (inaudible)
19 around in the car to pick me up to take me
20 right over there.

21 THE COURT: Travel safely.

22 THE DEFENDANT: Thank you very much,
23 your Honor.

24 THE COURT: You're welcome. Bye
25 bye.

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THE DEFENDANT: Bye.

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C E R T I F I C A T E

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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
V.)
Carl A. Collins.)

I, Marva M. Wilson, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 12th day of September, 2014.



Marva M. Wilson

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS: STOKES, A.R., J.
3 CITY OF CLEVELAND.)

4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013TRD061612
9 CYNTHIA L. GEORGE,)
10 Defendant.)
11 - - -

12
13 Transcript of digitally recorded proceedings had
14 Before the Honorable Judge Angela R. Stokes, on
15 Tuesday, November 26, 2013, in Courtroom 15-C.
16 - - -

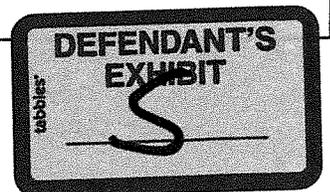
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Aric Kinast, Assistant Police
21 Prosecutor.

22 On behalf of the defendant:
23 James London, Esq.

24
25 Demetrius D. Longmire

OFFICIAL COURT REPORTER
CLEVELAND MUNICIPAL COURT
Cleveland, Ohio 44113



P R O C E E D I N G S

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THE COURT: This is docket 32.

Miss George, the License Required to Operate charge is a first-degree misdemeanor. If convicted of this charge, it does carry a maximum fine of \$1,000 and up to six months or up to 180 days in jail. You have a right to be represented by an attorney if you would like legal representation.

If you are indigent and you cannot afford to hire an attorney, you can certainly go to the Public Defender's Office for free legal representation. Or you can have a continuance to hire an attorney if you have the financial means to do so. Or you can represent yourself. Those are your three options..

What would you like to do?

THE DEFENDANT: Represent myself.

THE COURT: Thank you. Here's a copy of your Driver's License History Form. When the prosecutor comes back, you can discuss your case with Mr. Kinast. If you decide to change your plea to the first-

1 degree misdemeanor, you will have to sign a
2 Waiver of Attorney Form because it does
3 carry jail time.

4 Do you understand?

5 THE DEFENDANT: Umm, no. I have a
6 driver's license.

7 THE COURT: Excuse me. What would
8 you like to do? I don't know. Everyone in
9 this courtroom has said not guilty. That's
10 why you're case is on the docket for a
11 pretrial. The question before you is, if
12 you want to have legal representation.

13 THE DEFENDANT: I'm sorry.

14 THE COURT: Count one is actually
15 Refusal to Display a License charge. I'm
16 sorry. Count one on yours -- it says
17 Driver's License not on person. So it might
18 be a refusal to display a license.
19 Nevertheless, it carries a maximum fine of
20 \$1,000 and up to six months or up to
21 180 days in jail if convicted on that
22 charge. So you'll need to determine if you
23 want legal representation or how you want to
24 proceed.

25 What would you like to do?

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THE DEFENDANT: I would like to proceed.

THE COURT: Then you need to talk to the prosecutor about your case when he comes back from lunch. He'll be back in about 25 minutes and you can discuss your charges with him. If you decide to change your plea to that first-degree misdemeanor, you will have to sign a Waiver of Attorney Form because it does carry jail time.

Do you understand?

THE DEFENDANT: Yes, but when I was in --

THE COURT: Excuse me. Do you want to talk to the prosecutor about your case? There's no point in talking to me about it. You can talk to the prosecutor and decide what you want to do when you talk to Prosecutor Kinast if you don't want legal representation.

THE DEFENDANT: Okay. I'll wait to speak to him.

THE COURT: Right. You need to speak to him. There's nothing the Court can do. You need to talk to the prosecutor

1 about your case if you don't want legal
2 representation.

3 THE DEFENDANT: Okay. Thank you.

4 THE COURT: You're welcome.

5 *****

6 THE COURT: Cynthia George's case.
7 Miss George, how do you want proceed on your
8 case?

9 Did you reach a resolution, Mr. Kinast?

10 MR. KINAST: No, your Honor.

11 THE COURT: What would you like to
12 do?

13 THE DEFENDANT: Set it for trial. I'm
14 pleading not guilty.

15 THE COURT: Excuse me. You are so
16 out of order. You previously pled not
17 guilty, which is why your case is on the
18 docket. You can't plead not guilty again.
19 You've already done that. So what do you
20 want to do about your legal representation?
21 Do you want an attorney to help you on this
22 matter since you don't obviously know what
23 you're doing in this matter in the
24 courtroom. If you're indigent, all you have
25 to do is go to the Public Defender's Office.

1 They will assist you in this matter. If you
2 have the financial means to do so, you can
3 hire an attorney to assist you. But you
4 entered not guilty pleas in October 24th.
5 You can't enter not guilty pleas again.
6 You've already done that. You think about
7 it.

8 THE DEFENDANT: I don't have --

9 THE COURT: Excuse me, excuse me.

10 THE DEFENDANT: I just don't --

11 THE COURT: Excuse me.

12 THE DEFENDANT: I just don't --

13 THE COURT: Excuse me.

14 THE DEFENDANT: I don't understand
15 what you're saying, and you're not letting
16 me --

17 THE COURT: That's why you're
18 going to have a seat to your right and I
19 will explain it to you again because I have
20 tried all day long. Have a seat to your
21 right.

22 *****

23 THE COURT: Cynthia George's case.
24 Try it again.

25 Prosecutor Kinast, you said that you

1 tried to -- you pretried this matter, but
2 you were not able to reach a resolution,
3 correct?

4 MR. KINAST: Correct, your Honor.
5 She -- she doesn't have a bad license, so I
6 offered her to plead to the speed or the
7 display. She just didn't have it on her at
8 the time.

9 THE COURT: That's the refusal to
10 display?

11 MR. KINAST: Correct. She's
12 contesting all the charges.

13 THE COURT: So what do you want to
14 do, Miss George? What do you want to do
15 about your legal representation?

16 THE DEFENDANT: I can't afford legal
17 representation.

18 THE COURT: So if you're indigent
19 and cannot afford to hire an attorney, you
20 can go to the Public Defender's Office.
21 They'll give you free legal representation.
22 It's up to you.

23 THE DEFENDANT: I'd like -- you had
24 asked me before if I wanted to represent
25 myself.

1 THE COURT: Right, but you
2 obviously don't know what you're doing. So,
3 why don't you seek legal counsel from the
4 Public Defender's Office so they can give
5 you free legal representation to help on
6 this matter. But it's up to you.

7 THE DEFENDANT: I -- I'd just still
8 like to represent myself.

9 THE COURT: Are you an attorney?

10 THE DEFENDANT: No, ma'am.

11 THE COURT: I mean, you're trying
12 to enter not guilty pleas when you
13 previously entered not guilty pleas. Why
14 won't you seek legal counsel from an
15 attorney who can help you on this case, to
16 explain to you what you're doing? Why won't
17 you get help?

18 THE DEFENDANT: Because I have two
19 kids and I don't have the time. My daughter
20 has cerebral palsy and --

21 THE COURT: Well, you know what,
22 if you have a conviction, you might go to
23 jail for up to six months on a case where
24 you're not an attorney, you don't know what
25 you're doing in the courtroom. So why don't

1 you ask them to help you? Don't think I
2 won't impose the jail time if I deem it
3 appropriate. But why won't you go get help?
4 That's what the Court cannot --

5 THE DEFENDANT: I don't -- I don't
6 have somebody to sit with my daughter.

7 THE COURT: Well, what are you
8 going to do? You're not going to have a
9 trial today. You're going to have to come
10 back if you want a trial. Or maybe
11 Mr. London, would be kind enough to try to
12 help you now on this case.

13 Mr. London. My gracious. Mr. London,
14 count one really should be refusal to
15 display.

16 MR. LONDON: Wait. Let me get the
17 right name. Cynthia George. George is your
18 last name.

19 THE COURT: They have ample
20 opportunity to seek legal counsel. They
21 come to the courtroom and they don't do
22 that. They're told out of the arraignment
23 room then they don't know what they're doing
24 in the courtroom. Outrageous.

25 Attorney London.

1 MR. LONDON: Yes. This has been
2 worked out.

3 MR. KINAST: All right. They're
4 going to plead to the Failure to Display, a
5 first-degree misdemeanor (inaudible) 435.06.
6 The City would dismiss the remaining
7 charges.

8 THE COURT: Is that correctly
9 stated, Attorney London?

10 MR. LONDON: Yes.

11 THE COURT: Miss George, on docket
12 32, count one, is amended under Cleveland
13 codified ordinance, 435.06. The amended
14 charge is a first-degree misdemeanor,
15 carrying a maximum fine of \$1,000 and up to
16 six months or up to 180 days in jail. Under
17 the amended charge is a refusal to display a
18 license.

19 Do you recall and understand that
20 charge?

21 THE DEFENDANT: Yes.

22 THE COURT: To that charge, would
23 you like to withdraw your not guilty plea,
24 enter a plea of no contest and consent to a
25 finding of guilty?

1 THE DEFENDANT: Yes.

2 THE COURT: By doing so, you are
3 waiving or giving up your right to have
4 either a bench trial, tried to the Judge or
5 jury trial, tried to eight jurors.

6 Do you understand?

7 THE DEFENDANT: Yes.

8 THE COURT: You are presumed
9 innocent until the City of Cleveland proves
10 your guilt beyond a reasonable doubt if your
11 guilt is to be proven at a trial.

12 Do you understand?

13 THE DEFENDANT: Yes.

14 THE COURT: If you were to have a
15 trial, you have a right to remain silent at
16 a trial. No one can force you to testify or
17 to say anything at a trial.

18 Do you understand?

19 THE DEFENDANT: Yes.

20 THE COURT: You are also giving up
21 your right to subpoena witnesses who could
22 testify at a trial if you were to have one.

23 Do you understand?

24 THE DEFENDANT: Yes.

25 THE COURT: And you're giving up

1 your right to confront your accusers at a
2 trial.

3 Do you understand?

4 THE DEFENDANT: Yes.

5 THE COURT: Have there been any
6 threats or promises made to force you to
7 change your plea to the amended charge?

8 THE DEFENDANT: No.

9 THE COURT: Are you satisfied with
10 your attorney's representation?

11 THE DEFENDANT: Yes.

12 THE COURT: Do you have any
13 questions regarding the rights you are
14 giving up?

15 THE DEFENDANT: No.

16 THE COURT: Do you have any
17 questions regarding the penalties that can
18 be imposed by the Court?

19 THE DEFENDANT: No.

20 THE COURT: Are you a citizen of
21 United States?

22 THE DEFENDANT: Yes.

23 THE COURT: Do you have any
24 questions?

25 THE DEFENDANT: No.

1 THE COURT: I will accept your
2 change of plea to the refusal to display a
3 license charge. The maximum speed,
4 seatbelt, passenger's seatbelt charges will
5 all be nolleed or dismissed.
6 What is reflected on the LEADS?
7 MR. KINAST: She has 18 prior
8 convictions.
9 THE COURT: Anything you'd like to
10 say --
11 MR. LONDON: On the TIP Sheet that
12 I -- that I'm looking at it didn't say --
13 THE COURT: 19 prior minor
14 misdemeanor charges.
15 MR. LONDON: And, your Honor, there
16 was no accident on this case. We're asking
17 if you could, please, glance at the file to
18 see if they marked in the arraignment room
19 that proof of insurance was shown down
20 there.
21 THE COURT: It is marked.
22 MR. LONDON: Okay. We needed to
23 make sure that that had been done.
24 THE COURT: Anything else?
25 MR. LONDON: That is all. Thank

C E R T I F I C A T E

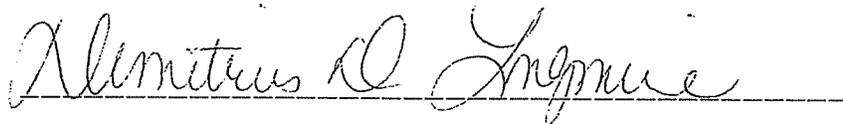
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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
vs.)
Cynthia L. George.)

I, Demetrius D. Longmire, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings had in said Cleveland Municipal Court in the above-entitled case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the digitally recorded proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 4th day of June, 2014.



Demetrius D. Longmire



CLEVELAND MUNICIPAL COURT
 Office of the Clerk of Court
 Earle B. Turner
 Justice Center • Level Two
 1200 Ontario Street • Cleveland, Ohio 44113-1669
CIVIL DIVISION

Date: 11/05/2014 12:42pm

Cleveland Municipal Court Journal

Page 1 of 3

Case Number
2014 CVF 001342

Judge
STOKES, ANGELA R.

In The Matter Of

Action

CACH LLC -VS- DAVIS, DONELLS

CONTRACTS-ACCOUNTS - 1
DEFENDANT

Party
CACH LLC
4340 S MONACO SECOND FL
DENVER, CO 80237

Party Type
PLNTF

Attorneys
ROACH ESQ., LAWRENCE J
LAW OFFICE OF KEVIN Z SHINE PLLC
231 SPRINGSIDE DR SUITE 140
AKRON, OH 44333

DAVIS, DONELLS

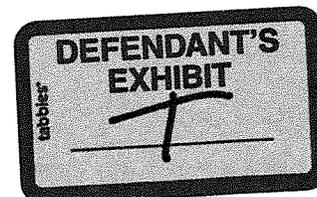
DFNDT



Opened
01/29/2014

Case Type
CVF - CONTRACTS

| No. | Date of | Pleadings Filed, Orders and Decrees | Amount Owed/ Amount Dismissed | Balance Due |
|-----|------------|--|----------------------------------|-------------|
| 1 | 01/29/2014 | COMPLAINT FILED BY: CACH LLC (PLAINTIFF); ; LAWRENCE J ROACH ESQ (Attorney) on behalf of CACH LLC (PLAINTIFF) Receipt: 2681601 Date: 01/29/2014 | 122.00 | 0.00 |
| 2 | 01/29/2014 | BACK FILED IMAGES | | |
| 3 | 01/30/2014 | CERTIFIED MAIL ISSUED TO ON Issue Date: 01/30/2014 Service: CV COMP & SUMMONS Method: (CV) ELECTRONIC CERTIFIED MAIL Cost Per: \$ | | |
| | | DAVIS, DONELLS  | | |
| | | Tracking No: 9171901037752910570640 | | |
| 4 | 01/30/2014 | CIVIL SUMMONS ISSUED INTAKE- (N) CIVIL SUMMONS- SUMMONS IN CIVIL ACTION Sent on: 01/30/2014 10:24:10.63 DONELLS DAVIS (DEFENDANT); | | |
| 5 | 02/19/2014 | ANSWER FILED BY DONELLS DAVIS (DEFENDANT); | | |





CLEVELAND MUNICIPAL COURT
Office of the Clerk of Court
Earle B. Turner
Justice Center • Level Two
1200 Ontario Street • Cleveland, Ohio 44113-1669
CIVIL DIVISION

Date: 11/05/2014 12:42pm

Cleveland Municipal Court Journal

Page 2 of 3

2014 CVF 001342 CACH LLC -VS- DAVIS, DONELLS

- 6 02/25/2014 HEARING SCHEDULED
Event: PROPRIA PERSONA HEARING
Date: 04/01/2014 Time: 2:30 pm
Judge: MAGISTRATE, SESSION VI Location: 12TH FLOOR
COURTROOM D
- 7 02/26/2014 DELIVERED
Method : (CV) ELECTRONIC CERTIFIED MAIL
Issued : 01/30/2014
Service : CV COMP & SUMMONS
Served : 02/18/2014
Return : 02/19/2014
On : DAVIS, DONELLS
Signed By :

Reason : DELIVERED
Comment : USPS DELIVERED

Tracking # : 9171901037752910570640
- 8 02/26/2014 SIGNATURE
Signature Received from USPS
DONELLS DAVIS (DEFENDANT); Signature Document
Attached
Tracking Number: 7190 1037 7529 1057 0640
- 9 04/11/2014 MAGISTRATES ORDER. THIS MATTER IS FORWARDED
TO THE CENTRAL SCHEDULING DEPARTMENT FOR
ASSIGNMENT TO A JUDGE'S PERSONAL DOCKET BY
RANDOM LOT.
- 10 04/14/2014 CASE ASSIGNED TO THE PERSONAL DOCKET OF:
Participant(s): Judge ANGELA R. STOKES
- 11 04/17/2014 HEARING SCHEDULED
Event: CIVIL PRETRIAL
Date: 05/05/2014 Time: 1:00 pm
Judge: STOKES, ANGELA R. Location: 15TH FLOOR
COURTROOM C

Result: HEARING CANCELLED - FILE HELD FOR ENTRY
- 12 05/15/2014 DISMISSAL FILED BY:
LAWRENCE J ROACH ESQ (Attorney) on behalf of CACH
LLC (PLAINTIFF)

Totals By: COSTS

122.00

0.00

*** End of Report ***



CLEVELAND MUNICIPAL COURT
Office of the Clerk of Court
Earle B. Turner
Justice Center • Level Two
1200 Ontario Street • Cleveland, Ohio 44113-1669
CIVIL DIVISION

Date: 11/05/2014 12:42pm

Cleveland Municipal Court Journal

Page 3 of 3

2014 CVF 001342 CACH LLC -VS- DAVIS, DONELLS

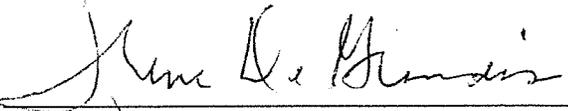
STATE OF OHIO
COUNTY OF CUYAHOGA
CITY OF CLEVELAND

SS. }

I, Earle B. Turner, Clerk of the Cleveland Municipal Court, within and for said city, hereby certify that the above and foregoing is truly taken and copied from the original docket in Case No. **2014 CVF 001342** now on file in the Office of the Clerk of Court.

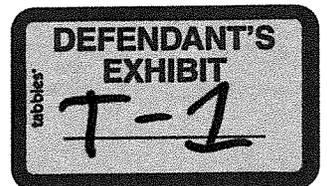
Witness my hand and seal of Cleveland Municipal Court this 5 day of November 2014.

EARLE B. TURNER, CLERK

By: 
Chief Deputy Clerk

The Clerk of Courts does not calculate interest or balances due on your judgment. There may be additional amounts due to your creditor(s). It is your responsibility to contact your Creditor(s) or their Attorney in order to determine the balance due on your case.

TO JUDGE: ANGELA STOKES
if I CAN'T SPEAK THIS letter
IS REASON I'M Here TRUTHFUL
TESTIMONY I BOUGHT A BATTERY
FUL COVERAGE WARRANTY FROM SEARS
I RETURN THE BATTERY ONE WEEK AFTER
MERCEDES BATTERY REPLACE THERE
BATTERY THEY REFUSE TO HONOR THE
WARRANTY I FEEL THAT'S DISCRIMINATION
SO I RATHER PROPOSAL FOR SEARS CREDIT
CARD STOP USING THEY GIVE ME A
PROPOSAL FOR THAT I PAID ABOUT THREE
PAYMENTS AND ASK FOR BALANCE WE CAN
GIVE ESTIMATE DON'T KNOW N I NOTICE
SEARS HIRE NEW JOB FAMILY DO/DO
I FEEL RETENTION AGAINST ME FOR
REPEAT I RATHER DEBT COLLECTOR BRIN'S
TO COURT GIVE ME AN



CLEVELAND MUNICIPAL COURT PSYCHIATRIC CLINIC

Phone (216)664-4630

Fax (216)664-4631

Defendant's pleading & unresponsiveness RE: unrelated battery issue

DEFENDANT'S EXHIBIT T-2

PSYCHIATRIC CLINIC REFERRAL (PLEASE FILL OUT ALL INFORMATION)

DATE OF REFERRAL: May 5, 2014

DONELL S DAVIS

ADDRESS: 5815 Stanley Tollway, Cleveland Ohio 44115
PHONE # (216) 432-9311
SEX: M F RACE: African American
DATE OF BIRTH: SOCIAL SECURITY #: XXX-XX-4922
JUDGE: Angela Stokes COURTROOM: 15-C
JAIL: BAIL: DUE IN COURT: May 30, 2014 at 12:30 pm

The Clinic is directed to have the above named defendant examined who (circle one):

* In addition, defendant could not understand or unrelated
CHARGE: battery issue purchased CASE #: 2014 CVF001342
CHARGE: by cash at Sears has CASE#: debt from Sears
nothing to do with this credit
PRETRIAL/PRE-PLEA EVALUATIONS: This is a Civil Case regarding credit card debt set for a pretrial.

- 5122.10 EVALUATION FOR EMERGENCY HOSPITALIZATION
2945.371 COMPETENCY TO STAND TRIAL
2945.371 SANITY AT THE TIME OF THE ACT
2945.40 ELIGIBILITY FOR CIVIL COMMITMENT AFTER A FINDING OF NOT GUILTY BY REASON OF INSANITY (NGRI)
2919.271 DOMESTIC VIOLENCE/RISK ASSESSMENT EVALUATION

POST ADJUDICATION EVALUATIONS:
5122.10 EVALUATION FOR EMERGENCY HOSPITALIZATION
2947.06 TESTIMONY AFTER VERDICT TO MITIGATE PENALTY

PSYCHIATRIC FACTORS IN THE CRIME
PSYCHIATRIC RECOMMENDATIONS REGARDING DISPOSITION
ELIGIBILITY FOR THE MENTAL HEALTH DOCKET

DEFENDANT HAS A PSYCHOTIC DISORDER OR A BIPOLAR DISORDER
DEFENDANT'S INTELLECTUAL FUNCTION IS BELOW IQ LEVEL OF 75
DOMESTIC VIOLENCE/RISK ASSESSMENT EVALUATION

REASON FOR REFERRAL: Mr. Davis goes to psychiatric hospitals for his care, such as St. Vincent Charity

BEHAVIORAL CHECKLIST (Check all that apply):
Hostile/Homicidal Depressed/Suicidal Illogical Thoughts
Hallucinations Paranoid/Suspicious Lack of Comprehension

SPECIAL INSTRUCTIONS: Per Mr. Davis his diagnosis is Schizophrenia and his medication is Haldol which he last took 2 weeks ago because he felt he was not need his medications. However Mr. Davis's mother recently died & he has taken...

PLEASE CHECK REFERRED TO PROBATION: YES NO
JUDGE OR MAGISTRATE'S SIGNATURE

Keita Haynes spoke to defendant's brother to gather some pertinent information regarding defendant

Mr. Davis is willing to go + will go to St. Vincent Charity hospital + rehab now

PT 5-5

SCANNED

IN THE CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

CACH, LLC.

Plaintiff,

v

DONELLS DAVIS

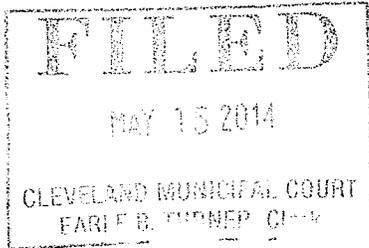
Defendant.

)
) Case No.: 14CVF001342
) *Stokes*
)

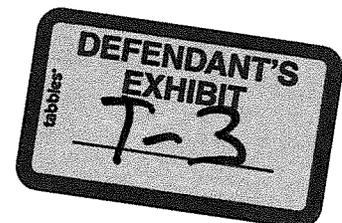
NOTICE OF VOLUNTARY DISMISSAL

NOW COMES the Plaintiff, CACH, LLC., who by and through the undersigned counsel, respectfully gives this Court notice that the within matter is hereby dismissed pursuant to Ohio Civil Rule of Procedure 41(a) with the right to re-file.

Respectfully submitted,



Lawrence J. Roach
LAWRENCE J. ROACH (0073492)
MATTHEW S. SALYER (0086222)
231 Springside Drive, Suite 140
Akron, Ohio 44333
Phone: (330) 576-6424
Fax: (330) 576-6923
Attorneys for Plaintiff



STATE OF OHIO

)
)
)

SS: AFFIDAVIT

COUNTY OF CUYAHOGA

I, Angela Rochelle Stokes, being first duly sworn according to law depose and say the following:

1. I am the Respondent in *Disciplinary Counsel v. Angela Rochelle Stokes*, Case No.: 14-1905.

2. I hereby swear and affirm that I have reviewed Respondent's Motion for Dissolution or Modification of Order of Suspension Under Gov. Bar R. V(5a)(C)(1) and that any and all facts set forth in said Motion are true and accurate to the best of my knowledge.

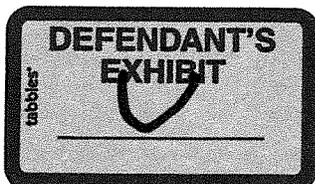
Affiant further sayeth naught.

Angela Rochelle Stokes
ANGELA ROCHELLE STOKES

Sworn to before me and subscribed in my presence this 20th day of January 2015.

[Signature]
NOTARY PUBLIC

PAUL B. BAKER, Attorney
Notary Public for the State of Ohio
My Commission Expires No Expiration Date
Section 147.03 R.C.



CERTIFICATE OF SERVICE

A copy of the foregoing RESPONDENT'S MOTION FOR DISSOLUTION OR MODIFICATION OF ORDER OF SUSPENSION UNDER GOV. BAR R. V(5a)(C)(1), Exhibit R through Exhibit U has been filed via e-filing with the Supreme Court of Ohio and a service copy emailed this 20th day of January, 2015 to the following:

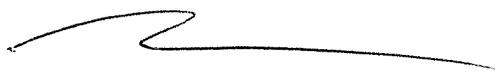
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